



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,533	06/15/2006	Jan Bot	P17502-US1	7643
27045	7590	07/30/2008		
ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024				
EXAMINER				
TRAN, QUOC DUC				
ART UNIT		PAPER NUMBER		
2614				
MAIL DATE		DELIVERY MODE		
07/30/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/596,533

Applicant(s)

BOT, JAN

Examiner

Quoc D. Tran

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Claim Objections

1. Claim 18 is objected to because of the following informalities: the content of the claim is not in accordance with current practice. Proper claim must have 2 parts (i.e., preamble and body). Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-2, 6-8, and 12-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Tolopka (6,757,360).

Consider claims 1, 7, 15, 17 and 18, Tolopka teaches a system and method for providing an authorization to a user during a telephone connection being established between a first user and a second user in a telecommunications system comprising one or more interconnected telecommunications networks (see abstract and summary), said method comprising the steps of:

i) setting up the telephone connection between both the first and second user using their subscriber identity numbers based on authorizations appointed to said first or second user (col. 6 lines 30-44); ii) receiving during the telephone connection being established a service request

from one of said first user or second user (col. 6 lines 45-47); and iii) appointing based on said service request received during the telephone connection being established at least one authorization to said other of said first user or second user (col. 6 lines 47-58).

Consider claims 2 and 8, Tolopka teaches wherein said authorization comprises the step of iv) preventing based on said authorization the establishment of a future telephone connection between said first user and second user by said one of said first user or second user (col. 7 lines 10-30).

Consider claims 6, 12-14 and 16, Tolopka teaches the system and method further comprising the step of viii) entering upon receipt of said service request from said one of said first user or second user the subscriber identity number corresponding with said other of said first user or second user on at least one authorization list; and ix) consulting said authorization list when a future telephone connection is being set up by said other of said first user or second user (col. 6 line 45 - col. 7 line 30).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-5 and 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tolopka (6,757,360) in view of Heiner (6,370,235).

Consider claims 3-5 and 9-11, Tolopka did not suggest wherein said authorization comprises allowing based on said authorization the establishment of a future telephone

connection or access between said first user and second user by said other of said first user or second user. However, Heiner suggested such (col. 2 lines 55-65; col. 3 lines 29-34). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Heiner into view of Tolopka in order for user to accept calls from desirable callers.

Response to Arguments

6. Applicant's arguments filed 5/6/2008 have been fully considered but they are not persuasive.

Regarding claim 18, applicant remarks/arguments indicated that claim 18 has been amended to over the examiner objection. However, the examiner did not find any amendment with respect to claim 18. Therefore, objection is sustained.

Regarding applicant argument that Tolopka do not suggest of "a service request being received during establishment (setup) of the telephone connection between the first and second users". Accordingly, the examiner respectfully disagrees with applicant arguments. The phase "during call setup", "during establishment" or "during connection being setup or established" all implies that the connection between the two users has not yet completed (i.e., the receiving party or user has not gone off-hook or answering the call request). Tolopka disclosed of a call filtering system and method that enable the user to enter a command to the filtering device (TMS) to add the telephone number of a current incoming telephone call or the most recently received call to the rejection list. It is clear that Tolopka allows the user to either a) sending a command to add the current incoming call to the rejection list or b) sending a command to add previously received call to the rejection list. Thus, it is clear that the "current" incoming telephone call is a call that

has yet answered by the user or by the answer machine. Thus, a "current incoming telephone call" is a call being requested, being established or being setup from a caller to a called party. Therefore, Tolopka teaching of allowing the user to enter command to add the telephone number (*the telephone number being transmitted during first and second ring*) of the current incoming telephone call read on the claimed features of "receiving during the telephone connection being established a service request from one of said first user or second user".

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any response to this action should be mailed to:

Mail Stop ____ (explanation, e.g., Amendment or After-final, etc.)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:

(571) 273-8300

Hand-delivered responses should be brought to:
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Quoc D Tran/
Primary Examiner, Art Unit 2614
July 28, 2008